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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR06-106-RSM  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 ROLANDO DEL MUNDO HERNANDEZ, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 A hearing on supervised release revocation in this case was scheduled before me on  
15 January 6, 2009. The United States was represented by AUSA Jill Otake and the defendant by  
16 Allen R. Bentley. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 5, 2007 by the Honorable Ricardo S.  
18 Martinez on a charge of Conspiracy to Commit Bank Fraud, and sentenced to 8 months custody  
19 (30 days in home detention), 5 years supervised release. (Dkt. 229.)

20 The conditions of supervised release included the standard conditions plus the requirements  
21 that defendant participate in a drug program, abstain from alcohol, submit to search, pay  
22 restitution in the amount of \$73,592.13, provide access to financial information, maintain a single

01 checking account for all transactions, disclose any business interests, disclose all assets and  
02 liabilities, be prohibited from incurring new lines of credit or obligations, refrain from self-  
03 employment or employment by friends or relatives unless pre-approved, obtain approval for all  
04 employment, not work for cash, provide verification of pay, and not possess any false  
05 identification documents.

06 In an application dated November 15 , 2008 (Dkt. 339 ), U.S. Probation Officer Michael  
07 S. Larsen alleged the following violations of the conditions of supervised release:

08 1. Failure to pay restitution as directed for the months of April, May, June, July,  
09 August, September, and October 2008, in violation of the special condition ordering him to pay  
10 monthly installments, of not less than 10% of his gross monthly income, toward the unpaid balance  
11 of restitution.

12 2. Associating with Richard Aquino, a person engaged in criminal activity, on or  
13 about October 26, 2008, in violation of standard condition number 9.

14 Defendant was advised in full as to those charges and as to his constitutional rights.

15 Defendant admitted the alleged violations and waived any evidentiary hearing as to  
16 whether they occurred. (Dkt. 352.)

17 I therefore recommend the Court find defendant violated his supervised release as alleged,  
18 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be  
19 set before Judge Martinez.

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01 Pending a final determination by the Court, defendant has been released on the conditions  
02 of supervision.

03 DATED this 6th day of January, 2009.

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05 Mary Alice Theiler  
06 United States Magistrate Judge

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08 cc: District Judge: Honorable Ricardo S. Martinez  
09 AUSA: Jill Otake  
10 Defendant's attorney: Allen R. Bentley  
11 Probation officer: Michael S. Larsen  
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